

Attorney's Docket No. 044158/273011

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Tuomanen *et al.* Confirmation No.: 2930
Appl. No.: 10/751,702 Group Art Unit: 1645
Filed: 1/5/04 Examiner: N. Minnifield
For: A POLYPEPTIDE COMPRISING THE AMINO ACID OF AN N-TERMINAL
CHOLINE BINDING PROTEIN A TRUNCATE, VACCINE DERIVED
THEREFROM AND USES THEREOF

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(c)**

Sir:

Attached is a list of documents on form PTO-1449. Any foreign patents or non-patent literature documents items are attached, except those that were supplied in, or cited by the Office during prosecution of, parent Application No. 09/056,019 filed April 7, 1998, now U.S. Patent No. 6,858,706. Since the benefit of this application was claimed under 35 U.S.C. 120, no copies need to be furnished in accordance with 37 C.F.R. 1.98(d); however, copies will be furnished on request.

It is requested that the Examiner consider these documents and officially make them of record in accordance with the provisions of 37 C.F.R. § 1.97 and Section 609 of the MPEP. By identifying the listed documents, Applicant in no way makes any admission as to the prior art status of the listed documents, but is instead identifying the listed documents for the sake of full disclosure.

This Information Disclosure Statement is submitted in accordance with 37 C.F.R. § 1.97(c), before final Office Action or Allowance, whichever is earlier.

180.00 OP

In re: Tuomanen *et al.*
Appl. No.: 10/751,702
Filed: 1/5/04
Page 2

A check for the \$180.00 fee specified in 37 C.F.R. § 1.17(p) is enclosed. The Commissioner is authorized to charge any additional fee, or credit any refund, to our Deposit Account No. 16-0605.

Respectfully submitted,




Kelly J. Williamson
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Pamela Lockley

Substitute for form 1449/PTO (Revised 07/2005) INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/751,702
				Filing Date	1/5/04
				First Named Inventor	Tuomanen
				Group Art Unit	1645
Examiner Name	N. Minnifield				
Sheet	1	of	1	Attorney Docket Number	044158/273011

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No.	Document Number Number - Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages of Relevant Figures Appear
	33	US-6,573,082	06-03-2003	CHOI <i>et al.</i>	
	34	US-6,500,613	12-31-2002	BRILES <i>et al.</i>	
	35	US-6,784,164	08-31-2004	MASCLE <i>et al.</i>	
	36	US-6,698,369	02-2004	KOENIG <i>et al.</i>	
	37	US-2002/0061545	05-23-2003	CHOI <i>et al.</i>	
	38	US-2003/0059438	03-27-2003	BRILES <i>et al.</i>	
	39	US-2003/0091577	05-15-2003	GILBERT <i>et al.</i>	
	40	US-2003/0096950	05-22-2003	TUOMANEN <i>et al.</i>	
	41	US-2003/0138447	07-24-2003	WIZEMANN <i>et al.</i>	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No.	Foreign Patent Document Country Code - Number Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	English Language Translation Attached
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OTHER DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s) , volume/issue number(s), publisher, city and/or country where published.	English Language Translation Attached
	42	BROOKS-WLATER, "The <i>pspC</i> Gene of <i>Streptococcus pneumoniae</i> Encodes a Polymorphic Protein, PspC, Which Elicits Cross-Reactive Antibodies to PspA and Provides Immunity to Pneumococcal Bacteremia," <i>Infection and Immunity</i> , 1999, pp. 6533-6542, Vol. 67(12).	
	43	CHENG, Q., <i>et al.</i> , "Novel Purification Scheme and Functions for a C3-Binding Protein From <i>Streptococcus pneumoniae</i> ," <i>Biochemistry</i> , 2000, pp. 5450-5457, Vol. 39.	
	44	HOSKINS, J., <i>et al.</i> , "Genome of the Bacterium <i>Streptococcus pneumoniae</i> Strain R6," <i>J. of Bacteriology</i> , 2001, pp. 5709-5717, Vol. 183(19).	
	45	IANNELLI, F., <i>et al.</i> , "Allelic Variation in the Highly Polymorphic Locus <i>pspC</i> of <i>Streptococcus pneumoniae</i> ," <i>Gene</i> , 2002, pp. 63-71, Vol. 284.	
	46	TETTELIN, H., <i>et al.</i> , "Complete Genome Sequence of A Virulent Isolate of <i>Streptococcus pneumoniae</i> ," <i>Science</i> , 2001, pp. 498-506, Vol. 293.	

Examiner Signature	Date Considered
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*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
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**INFORMATION DISCLOSURE STATEMENT
 CITATION UNDER 37 C.F.R. § 1.97**

Attached is a list of documents on form PTO-1449.

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Respectfully submitted,

Kelly J. Williamson

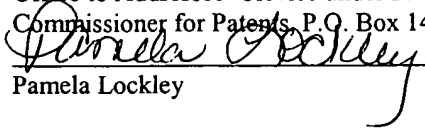
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				Application Number		To be Assigned		
				Filing Date		Concurrently Herewith		
				First Named Inventor		Tuomanen		
				Group Art Unit		To be Assigned		
				Examiner Name		To be Assigned		
Sheet	1	of	2	Attorney Docket Number		044158/273011		
U. S. PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	U.S. Patent Document Number		Kind Code ² (if known)	Name of Patentee or Applicant Of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages of Relevant Figures Appear	
	1	US-4,925,673			STEINER <i>et al.</i>	05-15-1990		
	2	US-5,013,556			WOODLE <i>et al.</i>	05-07-1991		
	3	US-5,284,656			PLATZ <i>et al.</i>	02-08-1994		
	4	US-5,451,569			WONG <i>et al.</i>	09-15-1995		
	5	US-6,245,335			MASURE <i>et al.</i>	06-12-2001		
	6	US-6,291,654			HOSTETTER <i>et al.</i>	09-18-2001		
	7	US-6,420,135			KUNSCH <i>et al.</i>	07-16-2002		
	8	US-6,503,511			WIZEMANN <i>et al.</i>	01-07-2003		
FOREIGN PATENT DOCUMENTS								
Examiner Initials	Cite No.	Foreign Patent Document Office ³ Number ⁴		Kind Code (if known) ⁵	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	9	EP	401,384		ISHIKAWA, R.	03-13-1996		
	10	WO	97/41151		MASURE, H., <i>et al.</i>	11-06-1997	1-53	
	11	WO	97/09994		BRILES, D., <i>et al.</i>	03-20-1997	1-28, 40, 53	
	12	WO	98/21337		HOSTETTER, M., <i>et al.</i>	05-22-1998	1-53	
	13	WO	98/18930		KUNSCH, C., <i>et al.</i>	05-07-1998	1-53	
	14	WO	99/51187		TUOMANEN, E., <i>et al.</i>	10-14-1999	1-53	
	15	WO	99/51266		WIZEMANN, T., <i>et al.</i>	10-14-1999	1-53	
OTHER DOCUMENTS								
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume/issue number(s), publisher, city and/or country where published.						
	16	ADJEL <i>et al.</i> , "Pulmonary delivery of peptide drugs: effect of particle size on bioavailability of leuprolide acetate in healthy male volunteers" <i>Pharma Res.</i> , 1990, pp. 565-569, Vol. 7.						

¹ Unique citation designation number.

² See attached Kinds of U.S. Patent Documents.

³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.

⁶ Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known		
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OTHER DOCUMENTS						
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	17	CUNDELL <i>et al.</i> , "Receptor specificity of adherence of Streptococcus pneumoniae to human type II pneumocytes and vascular endothelial cells in vitro," <i>Micro Pathog.</i> , 1994, pp. 361-374, Vol. 17.				
	18	CUNDELL <i>et al.</i> , "Streptococcus pneumoniae anchor to activated human cells by the receptor for platelet activating factor," <i>Nature</i> , 1995, pp. 435-438, Vol. 377.				
	19	HAMMERSCHMIDT <i>et al.</i> , "SpsA, a novel pneumococcal surface protein with specific binding to secretory immunoglobulin A and secretory component," <i>Mol. Microbiol.</i> , 1997, pp. 1113-1124, Vol. 25.				
	20	IDANPAAN-HEIKKELA I., <i>et al.</i> , "Oligosaccharides interfere with the establishment and progression of experimental pneumococcal pneumonia," <i>J. Infect. Dis.</i> , 1997, pp. 704-712, Vol. 176.				
	21	LANGER, "New methods of drug delivery," <i>Science</i> , pp. 1527-1533, Vol. 249.				
	22	MALIK <i>et al.</i> , "Polyethylene glycol (PEG) modified granulocyte-macrophage colony-stimulating factor (GM-CSF) with conserved biological activity," <i>Exp. Hematol.</i> , 1992, pp. 1028-1035, Vol. 20.				
	23	MCDANIEL <i>et al.</i> , "Molecular localization of variable and conserved regions of <i>pspA</i> and identification of additional <i>pspA</i> homologous sequences in Streptococcus pneumoniae," <i>Microb. Pathog.</i> , 1992, pp. 261-269, Vol. 13.				
	24	NEWMARK <i>et al.</i> , " <i>J. Appl. Biochem.</i> , 1982, pp. 185-189, Vol. 4.				
	25	REMINGTON'S PHARMACEUTICAL SCIENCES, 18 th ed., 1990, Chap. 89, Mack Publishing Co., Easton, PA.				
	26	RONDA <i>et al.</i> , "Biological role of the pneumococcal amidase. Cloning of <i>thelytA</i> gene in Streptococcus pneumoniae," <i>Eur. J. Biochem.</i> , 1987, pp. 621-624, Vol. 164.				
	27	ROSENOW <i>et al.</i> , "Contribution of novel choline-binding proteins to adherence, colonization and immunogenicity of Streptococcus pneumoniae," <i>Mol. Microbiol.</i> , 1997, p. 819, Vol. 25.				
	28	SHAPIRO <i>et al.</i> , "The protective efficacy of polyvalent pneumococcal polysaccharide vaccine," <i>NJEM</i> , 1991, p. 1453, Vol. 325.				
	29	TUOMANEN <i>et al.</i> , "Phenotypic tolerance: the search for beta-lactam antibiotics that kill nongrowing bacteria," <i>Rev. Infect Dis.</i> , 1986, p. 279, Vol. 8, Suppl. 3.				
	30	TUOMANEN <i>et al.</i> , "Microbiological and clinical significance of a new property of defective lysis in clinical strains of pneumococci," <i>J. Infect Dis.</i> , 1988, pp. 36-43, Vol. 158.				
	31	TUOMANEN <i>et al.</i> , "Pathogenesis of pneumococcal infection," <i>NEJM</i> , 1995, pp. 1280, Vol. 322.				
	32	WEARLY, <i>Crit. Rev. in Their Drug Carrier System</i> , 1991, pp. 333, Vol. 8.				
Examiner Signature					Date Considered	

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.